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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Pat L. Gordon  
Application No. : 09/466,387 Confirmation No.: 1111  
Filed : December 17, 1999  
For : GASTRIC STIMULATOR APPARATUS  
AND METHOD FOR USE  
Group Art Unit : 3762  
Examiner : Kennedy E. Schaetzle

Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:


Responsive to the Office Action mailed December 31, 2001, applicant hereby elects claims 1-38.

The Examiner further noted the existence of species/subspecies but is not requiring an election between them. However, the Examiner requested that applicant state on record if applicant disagrees with the Examiner.

Applicant understands that in the prosecution of patent applications before the U.S. Patent and Trademark Office, each claim is evaluated for patentability based on the prior art

at hand and the applicable laws. Thus, by not making the statement that is requested by the Examiner, applicant hopes to be given an opportunity to evaluate the patentability of each claim individually as the prosecution of this patent application progresses.

Respectfully submitted,

  
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Lillian Garcia

  
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